

EXHIBIT G

To: Board of Prison Commissioners
From: Teresa Werner, Public Citizen
Date: January 23, 2008
Subject: Public Comment for Board of Prison Commissioner's Meeting January 23, 2008

I arrived early and was in attendance at the subject meeting, however I was unaware there was a sign-in sheet available for public comment until it had been turned into the Governor, therefore I was not addressed to speak.

Please review the attached document containing my comments and suggestions for system-wide improvements and add it into the record for the January 23rd, 2008 meeting if possible.

I realize that many of the issues are related to the day-to-day functions of the prison system and are not necessarily the concern of this Commission; however, I hope you will still find the information valuable when providing high level guidance and decisions to the Department of Corrections.

Comments that may be of the most interest to this Commission are summarized as followed:

Better Budgets

- We cannot continue to pinch pennies with education and community services while opening our wallets to fund human warehousing prisons that make little or no effort towards rehabilitation.
- The medical issues in the Prison system are horrific. Reducing the food budget by 9 million dollars will only increase medical problems. The kitchen staff has already been informed that former Health Department requirements related to left-over food will now be disregarded and all left-over food will be kept and served again regardless of the condition. This decision will fill the infirmaries with inmates suffering from food poisoning, not to mention long-term affects that will eventually become the burden of the public and health care system upon their release.
- We are saving under 2 million dollars by closing a prison, but at the same time spending hundreds of millions on new construction for more prisons. This makes no sense at all. If the beds were 'needed' why are we able to close a prison now?
- Prisons can be more self sufficient. There are many ways that the prison can decrease the food budget while increasing revenue, moral, and safety at the same time. Examples are included in the attached document.
- The Parole Board has little or no value to anyone including Public Safety.
 - They should only hold hearings when an inmate may be released, not for consecutive sentences
 - They should NOT have more authority than elected Judges. They base decisions to grant/deny parole almost solely on the original crime vs incarceration time and rehabilitation.
 - There is no accountability or transparency which lends to questionable ethics.
 - They are basing decisions on inaccurate information and furthermore making an exuberant amount of errors themselves. There is no means to challenge decisions that may be not in the best interest of the public.
- By holding Pardon's Boards as the NAC requires, allows a release valve for the prison population for those that truly should not be there. If only five inmates are justly released from prison at each of the two Pardon's Boards, that is a savings of over \$200,000 per year which more then covers the cost of a state employee who facilitates the hearings as PART of their job.

Board of Prison Commissioner's Meeting - 1/23/08

Public Comment - Teresa Werner

Budget Band-Aids Do NOT Serve the Public

'The crime rate is way too high' says the public. 'The prison population is in a crisis' says the Director of Prisons. 'Inmate medical issues are horrific' says the ACLU (and inmates). We continue to address all three problems as typical Americans by trying to put a bunch of Band-Aids on a hose with a hundred pin holes, rather than re-direct the flow of water (or turning it off completely).

Crime Rate

We continue to pinch pennies with education and community services and open our wallets to fund human warehousing prisons. We are NOT spending our tax dollars wisely to get the best return on investment. I heard testimony by a few members of the public at this meeting that money should be directed to supporting communities which would open doors to the idea of crime PREVENTION.

Prison Population

There are many contributing factors as to why the prison population is way out of control and there many contributing factors:

- **Laws** (encourage legislative change)
Some laws are written so loosely that they are often abused by prosecutors and not used as they were intended, or were not well thought out (Examples: Felony Murder rule where anyone with the person who actually committed the unplanned murder receives the same charge; Kidnapping charge when you simply tell someone to 'move' or 'invite' someone to a party where they are unfortunately harmed; Burglary where you can do hard time and receive a felony for stealing a cup of coffee from 7-11; and Trafficking where you have a recreational amount of drugs that are in other cases completely legal for medicinal purposes.
- **Court System** (more realistic laws and funding increases parallel to police officer increases)
Completely over worked Public Defenders are NOT representing the accused adequately due to their case loads and are FORCING the accused to 'take a deal' because they don't have time for trials. The public is outraged because criminals plea to a lesser charge (and seemingly get less time), but the question should be asked if the original charges were just/true to begin with, if they are in fact guilty at all, and if so, is warehousing the best method of 'correction'.
- **Department of Corrections (DOC)** (correct instead of further corrupt)
There is truth to the saying 'garbage in – garbage out' if effort is not made to correct (program) inmates so when they are released, and most of them will be, they are not more of a burden to society and a danger to the public. There is also a substantial argument to the abuse of power the DOC has with regard to dismissing the law in their favor as well as internal policies with no accountability, as no one believes a convict, and there is no external auditing or oversight on day-to-day matters. When an inmate is warehoused in prison s/he can only learn from their current environment which is other convicts and some corrupt staff. Of course not all the staff is 'corrupt'; I have met and heard of many who do their jobs, do them well, and with professionalism and safety as a priority; however, there are way too few.

- **Parole** (unnecessarily over-worked, a detriment to tax revenue, and a threat to public safety)
 - The Parole Board should not hold hearings for inmates who are only eligible for parole to a consecutive sentence. They should only hold hearings when inmates are eligible for release from prison.
 - Inmates should be evaluated on their incarceration time ONLY. It is the public and legislature's job to approve laws and it is the elected Judge's job to sentence appropriate time based on evidence of the crime. The Parole Board's practice is to disregard the Judge's rulings and re-try inmates based on the Pre-Sentencing reports, which have already been evaluated by the Judge to determine proper sentencing.
 - The Parole Board often denies inmates parole based on prior criminal history as well as 'the severity of the crime', regardless of the time served OVER the minimum sentenced by the Judge, or maximum positive programming by the inmate, or amount of family and community support upon release. Prior convictions never change and 'severity of the crime' never changes, no matter how much time the inmate remains incarcerated. Although those factors can and should be considered, they should not be the sole reason for denial. The past never changes, but people can.
 - The Parole Board is not transparent or held accountable. They operate in secrecy and need no verifiable reason to grant or deny paroles. They cannot be challenged due to 'confidentiality' as they do not have to follow Open Meeting Laws similar to courts of law, and the hearings (including secret victim testimony) is not held to perjury laws such as the courts of law. This does not serve the inmates, nor does it serve the public when there is no assurance that inmates being released have been rehabilitated.
 - There is overwhelming evidence that the Parole Board does not receive accurate information from the Department of Corrections or the victims of the original crimes to base their decisions on. There is also substantial evidence that they themselves often make errors in calculating risk factors which they use as a tool to base their decisions on. Furthermore, inmates are penalized on consecutive sentences when they are granted parole, as a point is added in the risk factor calculation for a prior conviction(s) which include the previous consecutive sentence(s) from same crime/conviction.
 - The value of the Parole Board is questionable and quite possibly an unnecessary governmental agency. They do not serve the inmates by ignoring the Judge's ruling, positive programming, and external support for success. They do not serve the loved ones of the inmates by not allowing them to speak as the victims are. They do not serve the public by releasing inmates without any assurance they have been rehabilitated. The panel to release inmates back into society should be the decision of a small panel with members from the Department of Corrections, Department of Public Safety, a Victim's Advocate, and an Inmate Advocate, and should be completely transparent.
- **Parole and Probation** (making improvements, but still lacks focus)
 Parole and Probation has made great strides with diversion programs and offender management. However, there is still much support needed for successful reintegration back into society for those who have served hard time and who now are life-long felons. Obtaining employment is challenging. Finding adequate treatment for mental and substance issues is difficult. Society, with its fast paced advancements in technology and human behavior is frightening. There needs to be more effort made to ensure parolees succeed and not recidivate.
- **Community Support** (Back to the beginning – PREVENTION)
 A former prison inmate has much to pay and GIVE back to society. Most often, they ARE regretful of their crimes, and part of the healing process for both the inmate and the victims is to have an outlet to express, teach, learn and share from these unfortunate life experiences. By bridging communities, victims, former convicts, faith organizations, families, youth, and potential future offenders, we can all come together, unite and heal, rather than promote prejudices and possible false assumptions and judgments.

Medical Issues

The public does not believe convicts should have the same level of care, or better, that 'honest, law abiding, tax paying citizens' have (although it's questionable if there are any 'honest, law abiding citizens'). They certainly don't believe 'they' should have to pay for inmate's medical care. They have a point. However, just as much as the health care of the public depends on factors of lifestyle, so does the inmate's. When a member of the public chooses not to eat right, exercise or has a careless/reckless lifestyle, their need for medical care increases.

Inmates do not have the choices the public have with regard to a healthy lifestyles. Indigent inmates are forced to eat meat that is labeled 'not suitable for human consumption', rotten fruit, and moldy bread, that is prepared in a manner that the Health Department deems a hazard, served by other inmates who are hepatitis C positive. Many inmates who are confined to their cells have limited ability for exercise, and due to their general confinement are subject to any harmful contagious conditions that enter the prison system with new inmates as well as staff members.

The staff members in turn carry harmful viruses and diseases out of the prison and infect their families and the general public. The health and welfare of the inmates should be a **DIRECT CONCERN** of the public for this reason, as well as the potential burden they will be on health care systems upon release if they do not receive proper medical care while incarcerated.

Self Sustaining Prison

Substantially reducing the food budget, and further reducing the health standards in the prison kitchens, will no doubt have an equally substantial direct affect on the medical conditions that are already in a crisis. There are a few ways the prison can reduce spending and accelerate rehabilitation, while improving moral of both the inmates and staff.

- **Gardens**

Formerly at many of the facilities, the inmates were allowed to have gardens. To grow a garden was a privilege that had to be earned through horticulture classes as well as positive behavior. These gardens fed many inmates as well as enabled them to donate some produce to local battered women's shelters. There are so many benefits to allowing inmates to grow their own food, however, they are not allowed to because there were make-shift weapons found hidden in the dirt. I find this reason to deny the gardens absurd as those who tended to the gardens were allowed to use rakes, shovels, and AXES and yet there are little or no records of assaults caused from these 'hidden weapons' much less the 'authorized' potentially deadly tools.

- **Community Charities**

- Formerly inmates have been permitted to purchase pizzas (or other food products) to benefit community charities. This reduces the food budget, increases moral, and allows the inmates to give back to the community.
- Formerly inmates organized and hosted arts and craft shows open to the public. This generates revenue for the prison, the community charity of choice, as well as the inmate. This also serves to bridge the community and the incarcerated which has many benefits. It is well known that when people are productive and busy, they are less likely to find trouble. Allowing the inmates to sell their creations gives them pride and purpose which increases moral and provides a safer environment for everyone.

- **Expanding Canteen**

- By expanding a healthy selection of more affordable food options available at the inmate canteen, the prison would increase revenue, decrease the food spending, reduce medical expenses and increase moral.

In Summary

- We cannot continue to pinch pennies with education and community services while opening our wallets to fund human warehousing prisons that make little or no effort made for rehabilitation.
- The medical issues in the Prison system are horrific. Reducing the food budget by 9 million dollars will only increase medical problems. I understand the kitchen staff has already been informed that former Health Department requirements related to left-over food will now be disregarded and all left-over food will be kept and served again regardless of the condition. This decision will fill the infirmaries with inmates suffering from food poisoning, not to mention long-term affects that will eventually become the burden of the public and health care system upon their release.
- Prisons can be more self sufficient. There are many ways that the prison can decrease the food budget while increasing revenue, moral, and safety at the same time. Examples have been provided.
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 - They should only hold hearings when an inmate may be released, not for consecutive sentences
 - They should NOT have more authority then elected Judges. They base decisions to grant/deny parole almost solely on the original crime vs incarceration time and rehabilitation.
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 - They are basing decisions on inaccurate information and furthermore making an exuberant amount of errors themselves. There is no means to challenge decisions that may be not in the best interest of the public.

Thank you for your time and attention to these matters. In closing, I would like to add that I am sincerely appreciative of all the effort and concern put toward addressing these issues to do what is best for the State.

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